

MULLER, MARY ANN-nee WILSON-(1820-91) and STEPHEN LUNN (c1814-89)

Mary Ann: Feminist; suffragist; writer

Stephen: Surgeon for emigrants on PEKIN (1849); medical consultant in Nelson Settlement; Awatere Valley run-holder; Nelson Provincial Secretary; Resident Magistrate for Marlborough; Nelson Provincial councillor

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Thirty-five-year-old Stephen Lunn MULLER had sailed as ship's surgeon on the emigrant ship PEKIN, from Gravesend on 9 August 1849. In his medical care were 105 passengers, bound for a new life in the New Zealand Company's four settlements, of Wellington, New Plymouth, New Edinburgh (Otago) and Nelson. He intended settling in the latter, when he had fully discharged his duties with the Immigration ship's passengers. Accompanying him were his wife, and their four young children. His wife died on the voyage out, leaving the doctor with the extra burden of four young, motherless, children. On board was the recently divorced, 29-year-old Mary Ann GRIFFITH-nee WILSON, and her two young sons. Mary Ann took over the care of the MULLER children for the rest of the PEKIN's voyage, until their arrival at Port Nelson.

The PEKIN had reached Port Nicholson in December 1849, before proceeding first to discharge immigrants and their chattels at New Plymouth. From there she sailed south to Port Chalmers, with immigrants for the year-old Scottish settlement of New Edinburgh. The voyage for Dr MULLER, his children, and Mary Ann GRIFITH, with her sons, ended at Nelson on 15 January 1850.

".... Dr Stephen Lunn MULLER was born at Camberwell, near London, England, in 1814, and was the son of a French gentleman, a count by birth. After taking the degree of M.R.C.S. England, he practised in the country for twelve years. He sailed for New Zealand in the Pekin as surgeon superintendent...." (1)

Mary Ann WILSON had been born in England in 1820. In 1842, she had married James Whitney GRIFFITHS, and two sons were born of the union. In either 1848 or 1849, she had gained a divorce, on the grounds of cruelty, and decided to seek a new life, for her young sons and herself, in the settlement of Nelson.

Once in the Town of Nelson, Mary Ann GRIFFITHS, set up a home, where she lived with the two GRIFFITHS boys and the four young MULLER children. Martha ADAMS-nee LANGLEY- had recorded in her diary in 20 November 1850, a description of a visit to Mrs J W GRIFITHS, with details of the living room, into which she had been shown while awaiting the hostess's arrival, where a young girl was practising on a cabinet pianoforte, and a sleeping three-year-old boy, was wrapped in a plaid shawl, on a large easy chair. After:

'....A few minutes brought a fair gentle looking being into the room as Mrs Griffiths; she referred to the the sleeping boy as a slight invalid, and showed my children where to find the other young ones gathering alpine strawberries, which edged a grass plot on which were tethered two milk white kids, called Cupid and Psyche. Her fair hair was gathered up behind in a knott from whence it fell in natural curls, her soft blue eyes looked as if fully capable of appreciating a being who would love her, and her whole bearing and conversation was that of a well bred woman.'

Martha ADAMS reported that Dr LUNN was on a visit to England. From Martha ADAMS' diary came the following information: On Dr MULLER's return to Nelson, he became a regular visitor to Mary Ann GRIFFITHS' home, to see his children. He was quite distracted, when she refused his offer of marriage, in November 1851. However, the Doctor was determined to change Mary Ann's mind. He had appealed to the vicar of Christ's Church, Nelson, for permission to marry his children's nanny. The Rev BUTT, was unable to issue a marriage licence, as the divorced husband was still living. The GRIFFITHS' divorced had been procured from Doctors Common and no Act of Parliament had been granted to annul the marriage. However, the couple managed to circumvent the ecclesiastical caveat,

as the short, but satisfying, public notice in the EXAMINER announced:
'on 5th December 1851, Dr MULLER to Mrs GRIFFITHS, by Rev. H. F
BUTT.'

Information had come through from England to say that Mary Ann's divorced husband had died and the Anglican priest no longer refused to marry the couple.

Mary Ann was to use her marital experiences to launch a campaign to improve women's legal and matrimonial circumstances. (The Bishop of Nelson was still against, his clergy re-marrying divorced people in the 1970s!) Re-married, Mary Ann's was deeply involved in domestic life:

"....With six children to care for Mary's life was very full. She was a highly educated woman who read and thought a great deal, especially concerning the treatment of women, and considered many of the law very unfair, Rather sadly, it was difficult for her to discuss her point of view with her husband because he was opposed to women being connected with politics...." (2)

Stephen Lunn MULLER was to leave his medical calling behind and dabble in politics, before taking an appointment as a resident magistrate. Dr MULLER was living in Waimea East, and practising as a surgeon, when he registered as an elector for the Provincial Council, when the Nelson Provincial Government was established in 1853.

From February 1855 until 12 March 1857, Stephen MULLER was a member of the Nelson Provincial Executive Council, having been appointed to and filling the post of Provincial Secretary, for those years. He was still prepared to give medical care to those who required it then. On 6 August 1855, he had been elected as Provincial Councillor for Waimea East. He had resigned the seat in January 1857. On the 27th of the same month he was returned to the Nelson Provincial Council, for the Amuri Electorate in highly unorthodox circumstances:

"....John Tinline had just been declared elected unopposed when several horsemen rode up (to the Amuri polling station) bringing the news that Tinline had refused to stand. However, they brought with them, if not another candidate, another candidate's name. It was a situation in which electoral regulations would have been a hindrance. Consulting their watches the company decided that it was not yet noon. Tinline's election, not yet entered on the writ, was quashed, and Dr. S. L. Muller was solely nominated and elected unopposed...." (3)

He resigned the Amuri seat, on 1 August 1857.

From May 1857, the Doctor became Judge Stephen MULLER, a position he was to hold for twenty-two years, as the first Resident Magistrate for the district of Wairau, which was then part of the Nelson Province. The MULLERS, and the two GRIFFITHS boys moved their home to the Beaver. The circumstances of the change of occupation came about as the Honorary Magistrate H G GOULAND, had resigned the post, in doubtful circumstances, on 1 January 1857, and left the district in May. (For further details see entry on Henry Godfrey GOULAND):

"....After his departure, the Wairau was entirely without legal guardianship and police protection until Dr Muller resigned the Provincial Secretaryship of Nelson and came to the Beaver as resident magistrate and postmaster, bringing with him two police officers, Joseph McArtney and W. B. Earll, and as Clerk of the Court, John Barleyman. A small wooden building on the banks of the Opawa River served as the first Court House and with its erection, the Beaver may be said to have begun to look something like a settlement...." (4)

Stephen L MULLER already had a financial interest in the Wairau district:
"....Although less than two years in the colony and with a purely academic background Dr Muller somehow managed to obtain, in 1851, a depasturage licence for some 45,000 acres of high rugged country in the upper Awatere, lying between the Tone and Yeo rivers. He

named this his Fairfield run. Unfortunately, like so many of the early Awatere runs, no details regarding the early stocking of this run or who Dr Muller sent to get it under way for him..."(5)By 1864, he had freeholded 20,000 acres of the run. In the same year, he had sold 6,000 acres of the freehold-land to William BLICK, and the remaining 14,000 acres to Thomas CAWTHRON. (Some of this land still makes up the present-day sheep station, The Muller).

With the passage of years Stephen MULLER accumulated appointments to add to those he fulfilled when he first arrived in the Wairau. With the establishment of the Marlborough Province, he was appointed Collector of Customs and Receiver of Land Revenues. He had retired from the judiciary in 1878. Under his guidance and in conjunction with John ALLEN, he had organised the Marlborough Art and Industrial Association, which operated for a number of years. With his academic training he was known to be:

"....a man of studious habits and ever ready to assist any movement which had for its object the intellectual and social improvement of his fellow colonists...." (6)

But he was obviously a nineteenth century man, who considered, it was the age of man, and women had no place in changing society.

As a result of the circumstances Mary Ann MULLER, had experienced in her married life, and the uncertainty of life and the lack of security that faced women in such a young country, as that to which she had emigrated to create a new life for herself and her children, she concentrated on what she considered the major injustice that faced married women. That was their full property rights. Her second marriage gave her time to campaign for the freedom of women but her major handicap in becoming involved any activities was that her husband held the view that no woman should stand up on platforms airing radical views on the rights of women. Mary Ann was forced to carry on her campaigning in secret, thus for the era, breaking one of her marriage vows. However, she was to find a willing ally, with a media that could spread her ideas to a wide and thinking public, in Charles ELLIOTT, proprietor of the Nelson EXAMINER, the most influential newspaper in the colony, who was prepared to receive, publish and forward to other parts of New Zealand her correspondence and any articles she may write. He made every effort to preserve her anonymity. Mary Ann concealed her identity under the pen-name 'Femina'.

Charles ELLIOTT's family connection with the MULLER family was publicised in an opposition newspaper, THE COLONIST:

'On 28th June 1862, at the residence of the bride's father, Amersfort, Marlborough, Mr. C Elliott Jnr, to Marion Elizabeth, eldest daughter of S. L. MULLER Esq.'

Mary Ann MULLER, saw results of her campaigning with the passage through Parliament, in 1860, of the Married Women's Property Act, which was primarily concerned with the rights of the deserted wife. There were fewer divorces in the nineteenth century, and so it was considered the plight of the deserted wife was the most desperate. Two points gained by the Act were:

1. A wife deserted by the husband may at any time after such desertion apply to the Resident Magistrate or to Justices of the Peace....for an order to protecting money or property she may acquire by her own lawful industry, and property which she may become possessed of after such desertion.

2. The wife shall during the continuance of the order be considered as a **femme sole** (woman alone) with respect to property of every description which she may acquire and such property may be disposed of by her in all respects as a **femme sole**.

By 1870, when the Act of 1870 was passed, there were other considerations; women other than those who had suffered desertion were taken into consideration.

Four major points were considered:

1. A wife subjected by her husband to cruelty without adultery.
2. The husband of any woman guilty of living in open adultery.
3. The husband of any woman guilty of habitual drunkenness.
4. The husband habitually failing to provide a maintenance for his wife and children.

"... Further clauses of this later Act allowed the mother exclusive custody of her children; boys to the age of ten, girls to eighteen, or marriage. Should the mother have insufficient means, the husband was obliged to contribute maintenance for her children...." (7)

It is believed that with advancing years, and the difficulty of maintaining anonymity, Mary Ann MULLER was forced to give up her campaigning for women's rights. However, it was not until a year after Stephen Lunn MULLER's death on 27 April 1889, that the identity of 'Femina' was revealed publicly.

Mary Ann MULLER lived long enough to see, the enfranchisement of women, and exercise her right at the polls. She died at her home, New Amersfoorte, Blenheim, on 18 July 1901.

- (1) KENNINGTON, A L : THE AWATERE, p 87.
- (2) HARPER, BARBARA : PETTICOAT PIONEERS, Book Three, p 161.
- (3) GARDNER, W J : THE AMURI, A County History, p 189.
- (4) MCINTOSH, A D : MARLBOROUGH, A Provincial History, p 149.
- (5) KENNIGTON, p 87.
- (6) Ibid, p 87.
- (7) WORDSWORTH JANE : LEADING LADIES, Twenty-three outstanding women, Wellington 1979, p 19.

*Unedited version of essay for Nelson
Historical Society biographical
dictionary NIB Mary Ann Muller's
letters to the Examiner cannot
be traced*

11/11/92

